IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE FIRST DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

-

WRIT PETITION NO : 11587 of 2004

Between:

E.Ramnarsaiah, S/o Anthaiah,
R/o H.No.12-151, R.K.Puram, Saroornagar Mandal, R.R.Districf

..... PETITIONER

AND

1 The Co-operative Sub-Registrar, Hyderabad East Division of R.R.District-cum-Orbitrator of the Jawahar Co-operative Urban Bank ltd. Dilsukhnagar, Hyderabad
2 The Manager of the Jawahar Co-op Urban Bank Ltd. Dilsukhnagar, Hyderabad
3 M/s Pavani Canvasing, rep.by its Proprietor P.Srinivas, R/o H.No.3-5-13/3, Ramkote, Hyderabad

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in issuing the impugned notice of sale of immovable property under Rule 52(11)(e) of A.P.Co-operative Societies Rules, 1964 in form No.8 in proposing to auction of H.No.12-151 situated at RK Puram, Saroornagar Mandal, R.R.District in the auction to be held on 16-07-2004, as illegal, unlawful, contrary to law and against the provisions of A.P.Co-operative Societies Act, 1964 and Rules made there under and same may be setaside consequently declaring that the alleged equitable mortgage of above property is quite contrary to the provisions of Transfer of Properties Act.

Counsel for the Petitioner:MR.M.DAMODAR REDDY

Counsel for the Respondent No.1: GP FOR COOPERATION

The Court made the following :

ORDER:

It is represented by the learned counsel for the petitioner that the writ petition has become infructuous in view of the numbering of the appeal.

Recording the same, the writ petition is dismissed as infructuous. No costs.

01-09-2004

gj

To

1 The Co-operative Sub-Registrar, Hyderabad East Division of R.R.District-cum-Orbitrator of the Jawahar Co-operative Urban Bank ltd. Dilsukhnagar, Hyderabad
2 The Manager of the Jawahar Co-op Urban Bank Ltd. Dilsukhnagar, Hyderabad
3 Two C.Cs. to the Government Pleader for Co-operation, High Court of Andhra Pradesh, Hyderabad.(OUT)

4 Two C.D. copies.